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19 UNITED STATES DISTRICT COURT  
20 DISTRICT OF NEVADA

21 STEPHEN PEOPLES,  
22  
23 Plaintiff,

24 v.

25 T-MOBILE USA INC.; DOES I-X and, ROE  
26 Business Entities I-X,  
27 Defendant.

Case No. 2:22-cv-01544-JAD-DJA

**STIPULATION AND PROPOSED  
ORDER TO EXTEND BRIEFING  
SCHEDULE**

**(SECOND REQUEST)**

[ECF No. 42]

28 Plaintiff STEPHEN PEOPLES (“Plaintiff”), and Defendant T-MOBILE USA, INC. (“Defendant”) and (collectively, the “Parties”) stipulate to extend plaintiff’s time to file opposition to defendant’s motion for summary judgment filed September 16, 2024 (ECF 39) with plaintiff’s opposition due on October 16, 2024. This is the second request to extend dispositive motion briefing. The parties stipulate that plaintiff’s opposition to defendant’s motion for summary judgment will be due November 8, 2024. Defendant’s time to reply to such opposition will be similarly extended, with such reply due December 9, 2024.

The Parties make this stipulation in good faith and not for the purposes of delay. This extension is necessary because Plaintiff's lead counsel, James P. Kemp, Esq. has been occupied with other litigation commitments and conflicts. Plaintiff's counsel has been engaged in extensive appellate briefing on cases before the Ninth Circuit Court of Appeals and Nevada State Court, has been preparing for a trial on a November 12, 2024, trial stack in Nevada State Court, and has been working on discovery including deposition requiring travel to Reno, Nevada this week. Plaintiff's counsel was tied up the entire week of September 23 with an all day mediation, a Rule 30(b)(6) deposition in a state court case, and the Nevada Justice Association Annual Convention CLE September 25-28. Additionally, Plaintiffs' counsel has multiple workers' compensation administrative appeal cases and is about to leave for a long planned and prepaid vacation with a return date of November 2, 2024. Further, Plaintiff's counsel had medical procedures and illness on October 3 and October 9 causing those two days to be wholly or partially lost. That is why November 8, 2024, is being sought as the new due date in this case. Defendant is amenable to plaintiff's request however the requested opposition extension of November 8th will require an extension to the reply deadline given scheduling conflicts of defense counsel.

Dated: October 17, 2024

*/s/ Ruthann Devereaux-Gonzalez*

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T-MOBILE USA, INC.

**IT IS SO ORDERED.**

Dated: October 17, 2024

  
UNITED STATES DISTRICT JUDGE